

**NOVEMBER 13, 2014**

**1121 MOSELEY ST**

## ZONE CHANGE

<b>From:</b> I-1 Light Industrial	
<b>To:</b> B-4 General Business	
<b>Proposed Use:</b> Commercial Development	
<b>Acreage:</b> 1.538 acres	
<b>Applicant:</b> Hayden Development (1411.1914)	
<b>Surrounding Zoning Classifications:</b>	
<b>North:</b> I-1	<b>South:</b> I-1
<b>East:</b> I-1	<b>West:</b> I-2
<b>Southwest:</b> B-5	

## Proposed Zone & Land Use Plan

The applicant is seeking a B-4 General Business zone. The subject property is located in an Industrial Plan Area where General Business uses are appropriate in very limited locations.

## SPECIFIC LAND USE CRITERIA

**(a) Building and lot patterns; outdoor storage yards –** Building and lot patterns should conform to the criteria for “Nonresidential Development” (D7), and outdoor storage yards, with “Buffers for Outdoor Storage Yards” (D1).

**(b) Logical zoning expansions of proportional scope –** Existing General Business zones may be expanded onto contiguous land that generally abuts the same street(s). The expansion of a General Business zone should not significantly increase the extent of the zone in the vicinity of the expansion and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.

## Planning Staff Review

### GENERAL LAND USE CRITERIA

#### Environment

- It appears that the subject property is not located in a wetlands area per the US Department of Agriculture Soil Conservation Service dated March 6, 1990.
- The subject property is not located in a special flood hazard area per FIRM Map 21059CO138 D.
- It appears that the subject property is not within the Owensboro Wellhead Protection area per the GRADD map dated March 1999.
- The developer is responsible for obtaining permits from the Division of Water, The Army Corp of Engineers, FEMA or other state and federal agencies as may be applicable.

#### Urban Services

All urban services, including sanitary sewer, are available to the site.

## Development Patterns

According to the applicant the subject property has not been actively used for several years and the last use is believed to be a saw mill. The applicant proposes to remove an existing metal building on the northern portion of the property and redevelop the parcel as a commercial development.

Uses directly adjacent to the subject property are Light and Heavy Industrial while the property to the southwest across the intersection of Moseley Street and E. Parrish Avenue is Business/Industrial. General Business uses are located in the area, just not directly adjacent to the subject property.

Since E. Parrish Avenue in this location is designated as a principal arterial roadway this property will be required to have either a 75' minimum building setback from the street centerline, or a 25' minimum building setback from the lot line, whichever is greater. A 50' minimum roadway buffer from street centerline is also required along E. Parrish Ave.

Access to E. Parrish Avenue shall be limited only to the location of the previously closed alley, as shown on the minor subdivision plat approved by OMPC on 10/30/14. No additional access points to E. Parrish Avenue will be allowed.

## SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the Comprehensive Plan. The proposed use as a commercial development conforms to the criteria for nonresidential development. The proposed B-4 General Business zoning is a logical expansion of the existing B-4 General Business zoning nearby the site to the east and the south, and the existing B-5 Business/Industrial zoning to the immediate southwest of the subject property. The proposal is not a significant increase in general business zoning in the vicinity and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.

## Planning Staff Recommendations

The planning staff recommends approval subject to the findings of fact that follow:

### Findings of Fact:

1. Staff recommends approval because the proposal is in compliance with the community's adopted Comprehensive Plan;
2. The subject property is located in an Industrial Plan Area where general business uses are appropriate in very limited locations;
3. The proposed use as a commercial development conforms to the criteria for nonresidential development;
4. The proposal is a logical expansion of existing B-4 General Business zoning in the vicinity to the east and south of the subject property, as well as the existing B-5 Business/Industrial zoning to the southwest; and,
5. At 1.538 acres, the proposal does not significantly increase the extent of general business zoning in the vicinity and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.